

SCHEDULE 1

EFFECTIVE DATES FOR SUPERSEDING DECISIONS MADE ON THE GROUND OF A CHANGE OF CIRCUMSTANCES

PART 4

COMMON PROVISIONS

31.—(1) This paragraph applies in relation to an award of personal independence payment or universal credit where the change of circumstances is that the claimant or, in the case of universal credit, a member of their family, becomes entitled to another relevant benefit, ceases so to be entitled or the rate of another such benefit alters.

(2) Where this paragraph applies, the superseding decision takes effect from—

(a) where the superseding decision concerns universal credit, the first day of the assessment period in which—

(i) the entitlement to the other benefit arises;

(ii) the entitlement to the other benefit ends; or

(iii) entitlement to a different rate of the other benefit arises;

(b) where the superseding decision concerns personal independence payment, the date on which—

(i) the entitlement to the other benefit arises;

(ii) the entitlement to the other benefit ends; or

(iii) entitlement to a different rate of the other benefit arises.

(3) For the purpose of sub-paragraph (1), where the superseding decision relates to personal independence payment, “relevant benefit” includes any payment made under any of the provisions mentioned in regulation 61(1) (cases where mobility component of personal independence payment not payable) of the Claims and Payments Regulations 2013.

32. Where the change of circumstances is that there has been a change in the legislation in relation to any benefit, the superseding decision takes effect from the date on which that change in the legislation had effect.

33. Where the change of circumstances is the expected coming into force of a change in the legislation in relation to any benefit, the superseding decision takes effect from the date on which that change in the legislation takes effect.